

**HOUSE RULES RESOLUTION REQUIRING  
POLITICAL CAUCUSES TO BE OPEN**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Scott Daniels**

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**LONG TITLE**

**General Description:**

This resolution modifies House Rules to require that meetings of political caucuses be open.

**Highlighted Provisions:**

This resolution:

- modifies House Rules by requiring meetings of all caucuses to be open to the public with limited exceptions; and

- allows meetings of political caucuses to be closed for leadership elections or to be closed according to the procedures and requirements of the Open and Public Meetings Act.

**Special Clauses:**

This resolution takes effect immediately.

**Legislative Rules Affected:**

ENACTS:

**HR-20.09**

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*Be it resolved by the House of Representatives of the state of Utah:*

Section 1. **HR-20.09** is enacted to read:

**HR-20.09. Caucus Meetings to Be Open.**

(1) Each meeting of a majority or minority political party caucus of members of the



28 House shall be open to the public except:  
29       (a) organizational meetings to elect officers of the caucus and the House; and  
30       (b) meetings to discuss matters permitted in closed meetings as set forth in Utah Code  
31 Annotated Section 52-4-5.  
32       (2) Each caucus shall comply with the procedures and requirements of Title 52,  
33 Chapter 4, Open and Public Meetings, when convening closed meetings.  
34       Section 2. **Effective date.**  
35       This resolution takes effect upon approval by a constitutional majority vote of all  
36 members of the House of Representatives.

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**Legislative Review Note**  
**as of 2-9-04 10:18 AM**

It is unclear whether or not requiring caucuses to be open would violate a political party's right to associate and the party's freedom to determine whether or not to make caucuses open that is guaranteed by the First Amendment to the U. S. Constitution.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****House Rules Resolution Requiring Political Caucuses to be Open***11-Feb-04***Bill Number HR0010***10:57 AM*

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**State Impact**

No fiscal impact for implementation. However, a Legislative Review Note is attached to this resolution. If there is a legal challenge, there is a possibility that the state could incur costs of litigation.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**